

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION**

CHRISTINA MAYBERRY, individually )  
and on behalf of others similarly situated, )

Plaintiff, )

vs. )

SSM HEALTH BUSINESSES, )

Defendant. )

Case No. 4:15 CV 1680 CDP

**ORDER (1) PRELIMINARILY CERTIFYING FLSA COLLECTIVE  
ACTION AND RULE 23 CLASS FOR SETTLEMENT PURPOSES; (2)  
PRELIMINARILY APPROVING THE CLASS ACTION SETTLEMENT  
AGREEMENT; AND (3) APPROVING NOTICE TO THE RESPECTIVE  
CLASS MEMBERS**

This matter is before the Court on the parties' Joint Motion for (1) Certification of FLSA Collective Action and Rule 23 Class for Settlement Purposes; (2) Preliminary Approval of the Class Action Settlement Agreement; and (3) Approval of Notice to the Respective Class Members.

Plaintiff Christina Mayberry ("Plaintiff"), individually and on behalf of the members of the FLSA and Rule 23 Settlement Classes, and Defendant SSM Health Businesses (hereinafter "SSM" or "Defendant") have entered into a class action settlement, the terms and conditions of which are set forth in the parties' Class Action Settlement Agreement ("Settlement Agreement").

The Court having reviewed the Settlement Agreement, motion for approval thereof, and supporting documents, hereby:

1. **GRANTS** preliminary approval of the Settlement Agreement. The Court finds that the terms of the Settlement Agreement are within the range of possible approval at the final approval hearing set for **Friday, March 23, 2018 at 9:00 a.m.** in Courtroom 14-South.

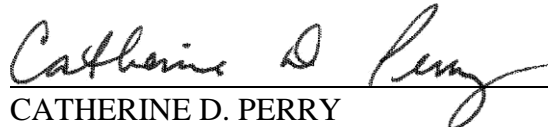
2. **FINDS** that the following classes should be preliminarily certified for settlement purposes: (a) for the FLSA Class (Count I of the Complaint), all current and former Licensed Practical Nurses (LPNs) employed by SSM at the St. Louis and/or St. Louis West facilities at any time during the period of August 24, 2014 to the present and (b) for the State Law Class under Rule 23 (Counts II through V of the Complaint), all current and former Licensed Practical Nurses (LPNs) employed by SSM at the St. Louis and/or St. Louis West facilities at any time during the period of November 9, 2010 to the present.

3. **APPOINTS** Russell C. Riggan and Samuel W. Moore of Riggan Law Firm, LLC as Class Counsel for settlement purposes.

4. **APPROVES** the named Plaintiff, Christina Mayberry, as the class representative for the settlement classes.

5. **APPROVES** the proposed form of Class Notice filed by the parties. The Court finds that the Class Notice constitutes reasonable notice practicable under the circumstances and is in full compliance with applicable law. The Court further finds that the notifications fully and accurately inform the Class Members of all material elements of the Settlement Agreement and of each Class Member's right to be excluded from the Class. The Class Notice shall be sent by the Settlement Administrator via first class mail to the most recent known address or reasonable determinable address for each Class Member by no later than **15 days from the date of this Order.**

**IT IS HEREBY ORDERED** that the parties' Joint Motion for (1) Certification of FLSA Collective Action and Rule 23 Class for Settlement Purposes; (2) Preliminary Approval of the Class Action Settlement Agreement; and (3) Approval of Notice to the Respective Class Members is GRANTED as more fully set out above.

  
\_\_\_\_\_  
CATHERINE D. PERRY  
UNITED STATES DISTRICT COURT

Dated this 8th day of November, 2017.